

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

103B



FROM: TLMA – Planning Department

SUBMITTAL DATE:  
January 26, 2010

**SUBJECT: GENERAL PLAN AMENDMENT NO. 954** - Foundation-Regular – Applicant: MDMG Inc. – Engineer/Representative: MDMG Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum Lot Size) – Location: Northerly of Benton Road, easterly of Washington Street, southerly of Yates Road, westerly of Lake Skinner Recreational Area – 49.16 Gross Acres - Zoning: Light Agriculture - 5 Acre Minimum Lot Size (A-1-5) - **REQUEST:** This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Estate Density Residential (RC-EDR) (2 Acre Minimum Lot Size) within the Highway 79 Policy Area to Medium Density Residential (CD-MDR) (2-5 DU/AC); High Density Residential (CD-HDR) (8-14 DU/AC); and Commercial Retail (CD-CR) (0.20-0.35 Floor Area Ratio)- APN(s): 472-210-003, 964-030-007, 964-030-008

**RECOMMENDED MOTION:**

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for the above referenced general plan amendment as modified by staff and as shown in Exhibit #7 based on the attached report. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

**BACKGROUND:**

The initiation of proceedings for any General Plan Amendment (GPA) requires the adoption of an order by the Board of Supervisors. The Planning Director is required to prepare a report and

Ron Goldman  
Planning Director

RG:mh

REVIEWED BY EXECUTIVE OFFICE

DATE

2/2/10  
Tina Grande  
Departmental Concurrence

☒ Policy

☐ Policy

☐ Consent

☐ Consent

Dep't Recomm.:

Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

15.3

recommendation on every GPA application and submit it to the Board of Supervisors. Prior to the submittal to the Board, comments on the application are requested from the Planning Commission, and the Planning Commission comments are included in the report to the Board. The Board will either approve or disapprove the initiation of proceedings for the GPA requested in the application. The consideration of the initiation of proceedings by the Planning Commission and the Board of Supervisors pursuant to this application does not require a noticed public hearing. However, the applicant was notified by mail of the time, date and place when the Planning Commission and the Board of Supervisors would consider this GPA initiation request.

If the Board of Supervisors adopts an order initiating proceedings pursuant to this application, the proposed amendment will thereafter be processed, heard and decided in accordance with all the procedures applicable to GPA applications, including noticed public hearings before the Planning Commission and Board of Supervisors. The adoption of an order initiating proceedings does not imply that any amendment will be approved. If the Board of Supervisors declines to adopt an order initiating proceedings, no further proceedings on this application will occur.

The Board of Supervisors established the procedures for initiation of GPA applications with the adoption of Ordinance No. 348.4573 (effective May 8, 2008), which amended Article II of that ordinance.

**PLANNING COMMISSION  
MINUTE ORDER NOVEMBER 4, 2009  
RIVERSIDE COUNTY ADMINISTRATIVE CENTER**

- I. AGENDA ITEM 5.5: GENERAL PLAN AMENDMENT NO. 954** – Foundation / Regular – Applicant: MDMG Inc. – Engineer/Representative: MDMG Inc. - Third Supervisorial District - Rancho California Zoning Area - Southwest Area Plan: Rural Community: Estate Density Residential (RC-EDR) (2 Acre Minimum Lot Size) – Location: Northerly of Benton Road, easterly of Washington Street, southerly of Yates Road, westerly of Lake Skinner Recreational Area – 49.16 Gross Acres - Zoning: Light Agriculture - 5 Acre Minimum Lot Size (A-1-5) - APN(s): 472-210-003, 964-030-007, 964-030-008.

**II. PROJECT DESCRIPTION**

This General Plan Amendment proposes to amend the General Plan Foundation Component of the subject site from Rural Community to Community Development and to amend the land use designation of the subject site from Estate Density Residential (RC-EDR) (2 Acre Minimum Lot Size) within the Highway 79 Policy Area to Medium Density Residential (CD-MDR) (2-5 Dwelling Units per Acre); High Density Residential (CD-HDR) (8-14 Dwelling Units per Acre); and Commercial Retail (CD-CR) (0.20-0.35 Floor Area Ratio).

**III. MEETING SUMMARY**

The following staff presented the subject proposal.

Project Planner, Tamara Harrison at 951-955-9721 or e-mail [tharriso@rctlma.org](mailto:tharriso@rctlma.org).

The following spoke in favor of the subject proposal:

Larry Markham, Applicant's Representative, 41635 Enterprise Circle N., Ste. N., Temecula, California 92590

No one spoke in a neutral position or in opposition of the subject proposal.

**IV. CONTROVERSIAL ISSUES**

NONE

**V. PLANNING COMMISSION ACTION**

The Planning Commission, recommended to the Board of Supervisors;

**INITIATION of THE GENERAL PLAN AMENDMENT**

**VI. CD**

The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Chantell Griffin, Planning Commission Secretary, at (951) 955-3251 or E-mail at [cgriffin@rctlma.org](mailto:cgriffin@rctlma.org).

Agenda Item No.: 5.5  
Area Plan: Southwest  
Zoning District: Rancho California  
Supervisory District: Third  
Project Planner: Tamara Harrison  
Planning Commission: November 4, 2009

General Plan Amendment No. 954  
Applicant: MDMG Inc.  
Engineer/Representative: MDMG Inc.

## **COUNTY OF RIVERSIDE PLANNING DIRECTOR'S REPORT AND RECOMMENDATIONS**

### **RECOMMENDATIONS:**

The Planning Director recommends that the Board of Supervisors adopt an order initiating proceedings for General Plan Amendment No. 954 from Rural Community: Estate Density Residential to Community Development: Estate Density Residential as modified by staff and as shown in Exhibit #7 and the Planning Commission made the comments below. The Planning Director continues to recommend that the Board adopt an order initiating proceedings for the general plan amendment as modified by staff. For additional information regarding this case, see the attached Planning Department Staff Report(s).

### **PLANNING COMMISSION COMMENTS TO THE PLANNING DIRECTOR:**

The following comment(s) were provided by the Planning Commission to the Planning Director:

**Commissioner John Roth:** Commissioner Roth expressed his opposition to prematurely converting rural areas into urbanized lands within the Community Development Foundation Component. Mr. Roth indicated that the County and residents were involved in a lengthy process that created the General Plan and the five-year certainty system and that the certainty system has somewhat been bypassed with policy areas, overlays and cases such as General Plan Amendment No. 954. He feels that we are speeding up the process of urbanization in some rural areas. Finally, Mr. Roth stated that he has some concerns with both the applicant's proposal and with staff's proposal.

**Commissioner John Snell:** No Comments

**Commissioner John Petty:** Commissioner Petty concurred with Commissioner Roth's comments; however, he also felt that staff was proposing a reasonable compromise. Mr. Petty indicated that he is willing to give the applicant the benefit of the doubt and it will be up to the applicant to show cause and to notify and include the area residents to the west of the subject site in the discussions regarding the proposal.

**Commissioner Jim Porras:** No Comments

**Commissioner Jan Zuppardo:** No Comments

Agenda Item No.: 5.5  
Area Plan: Southwest  
Zoning District: Rancho California  
Supervisory District: Third  
Project Planner: Tamara Harrison  
Planning Commission: November 4, 2009

General Plan Amendment No. 954  
Applicant: MDMG INC.  
Engineer/Rep.: Hall & Foreman, Inc

## **COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT**

### **PROJECT DESCRIPTION AND LOCATION:**

The applicant proposes to amend the General Plan Foundation Component from "Rural Community" (RC) to "Community Development" (CD) and to amend the General Plan Land Use designation from "Estate Density Residential" (EDR) (2 acre minimum lot size) to "Medium Density Residential (MDR) (2-5 du/ac), High Density Residential (HDR) (8-14 du/ac) and Commercial Retail (CR) (0.20-0.35 far)" for an approximately 49.16 acre site. The project is located north of Benton Road, south of Yates Road, east of Washington Street and west of the Lake Skinner Recreation Area.

### **POTENTIAL ISSUES OF CONCERN:**

The subject site is located in the "French Valley" community within the Southwest Area Plan and falls just outside of the boundary for the City of Temecula's Sphere of Influence. The site is located along Washington Street which has been classified by the General Plan's Circulation Element as an Urban Arterial (152' ROW), typically 6 to 8 lanes and primarily used for through traffic. The subject site is bordered by Open Space: Conservation Habitat and Public Facilities to the east; Medium Density Residential to the north, Rural Community: Estate Density Residential to the south and designations found in the Community Development and Rural Community Foundation Components to the west across Washington Street. The Community Development Foundation Component can be found on both the east and west sides of Washington Street given its current classification as an Urban Arterial.

The current proposal would dramatically increase the density currently allowed at the site which has been designated as being within a rural area. Staff recognizes that conditions in the area are likely to change and become more urbanized as improvements to Washington Street are made in an effort to establish Washington as a major north south corridor. Therefore, staff recommends that the site be amended from Rural Community: Estate Density Residential to Community Development: Estate Density Residential as opposed to Rural Community: Estate Density Residential to Community Development: Medium Density Residential, High Density Residential and Commercial Retail. Staff's recommendation would maintain the current density of the site and would also move the site into the Community Development Foundation Component which would allow the applicant to apply for a General Plan Amendment sooner than the Five-year limit that is currently placed on Foundation Change Amendments. Staff's proposal would be consistent with the existing land use pattern and would build upon the vision for the area.

The areas surrounding the subject site has seen some change since the adoption of the General Plan in 2003 with the approval and development of nearby Tract Maps (TR). TR29214, which lies west of the subject site across Washington Street, approved 371 lots with a 7,200 square foot minimum lot size in 2004. TR32272 is adjacent to the northern portion of the subject site and approved 38 lots with a 7,200 square foot minimum lot size in 2006. Water is currently available in Washington Street at Benton Road and sewer is available at Benton as well. These approvals/developments provide some justification for the amendment as modified by staff.

The current proposal is inconsistent with the General Plan's Highway 79 Policy Area. The policy area requires that residential development be proposed at 9% below the mid-point of the existing designation due to transportation infrastructure and capacity deficiencies. The policy did not include provisions to increase potential densities within the policy area as proposed by this amendment. A workshop was held at the regular Planning Commission meeting on September 30, 2009 in order to discuss the Highway 79 Policy area and the regular Foundation General Plan Amendments that fall within the policy area. As a result of the workshop, the Planning Commission recommended that those Foundation General Plan Amendments within the policy area be brought forward on a case by case basis in order to determine the appropriateness of each proposal and that the Highway 79 policies be reviewed during the General Plan update for potential amendments.

#### **RECOMMENDATION:**

The Planning Director's recommendation is to adopt an order initiating proceedings for General Plan Amendment No. 954 as modified by staff from Rural Community: Estate Density Residential to Community Development: Estate Density Residential. The initiation of proceedings by the Board of Supervisors for the amendment of the General Plan, or any element thereof, shall not imply any such amendment will be approved.

#### **INFORMATIONAL ITEMS:**

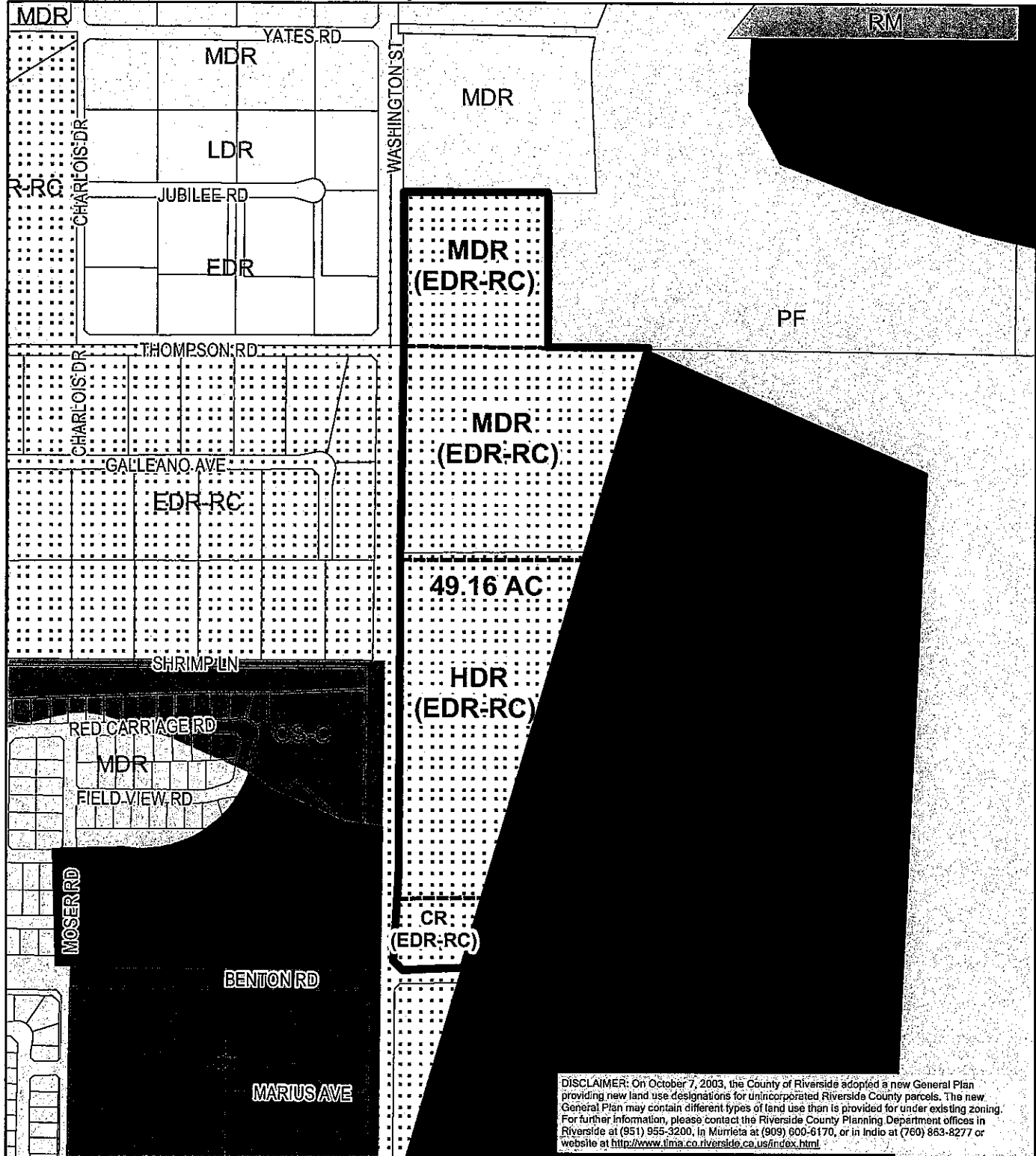
1. This project was filed with the Planning Department on February 13, 2008.
2. Deposit Based Fees charged for this project as of the time of staff report preparation, total \$4512.66
3. The project site is currently designated as Assessor's Parcel Number: 472-210-003, 964-030-007 and 964-030-008.

Supervisor Stone  
District 3  
Date: 2/26/08

**GPA00954**

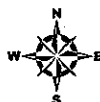
Planner: Amy Aldana  
Date: 3/06/08  
Exhibit 6

**Proposed General Plan**



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 3 & 4



Assessors  
Bk. Pg. 472-21  
Thomas 964-03  
Bros. Pg. 899 G7

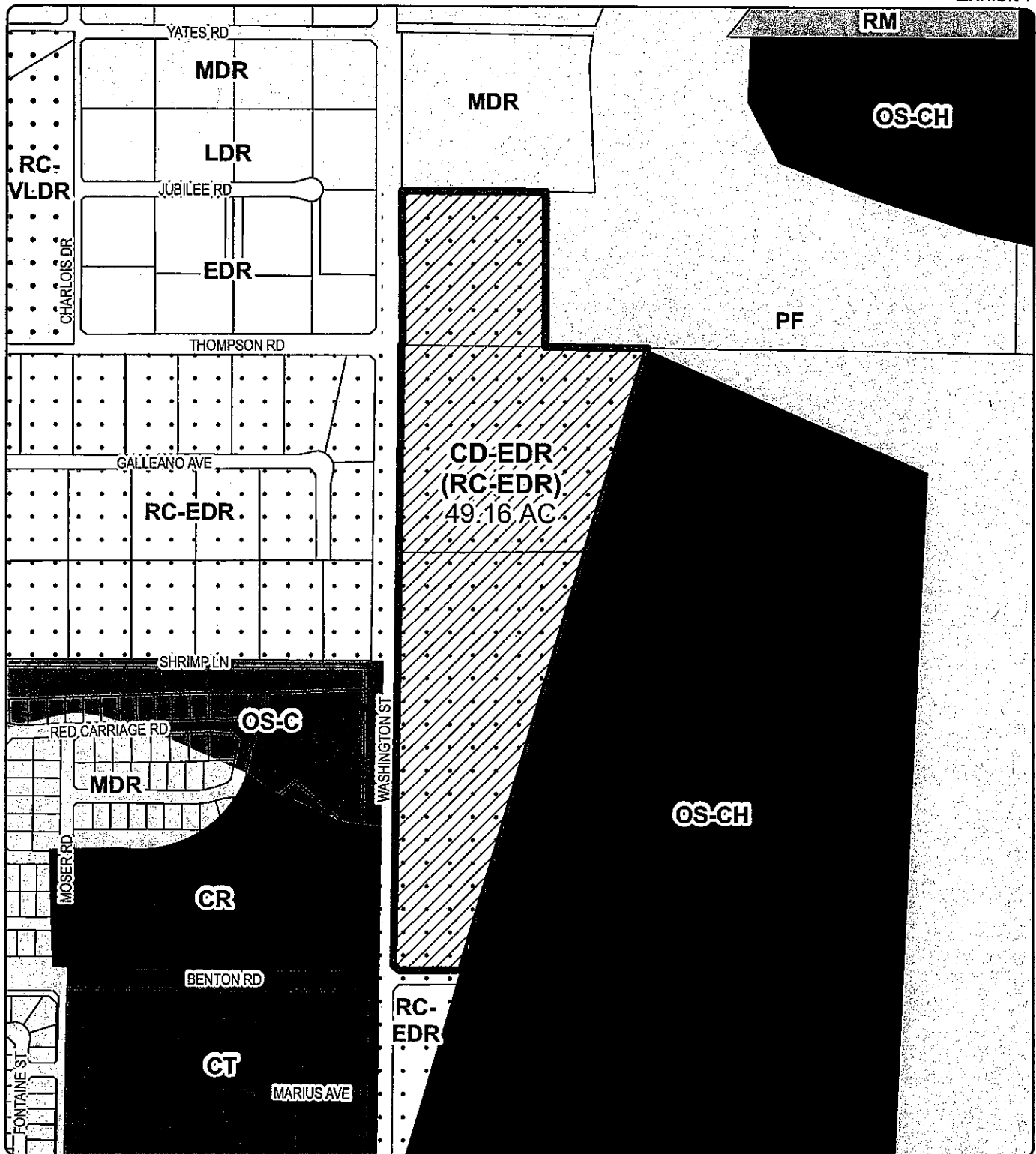
# RIVERSIDE COUNTY PLANNING DEPARTMENT

## GPA00954

Supervisor Stone  
District: 3

### Staff's Recommendation General Plan

Date Drawn: 10/20/09  
Exhibit 7



Zoning Area: Rancho California  
Township/Range: T6SR2W  
Section: 3 & 4

Assessors Bk. Pg. 472-21 & 964 -03  
Thomas Bros. Pg. 899 G7  
Edition 2009



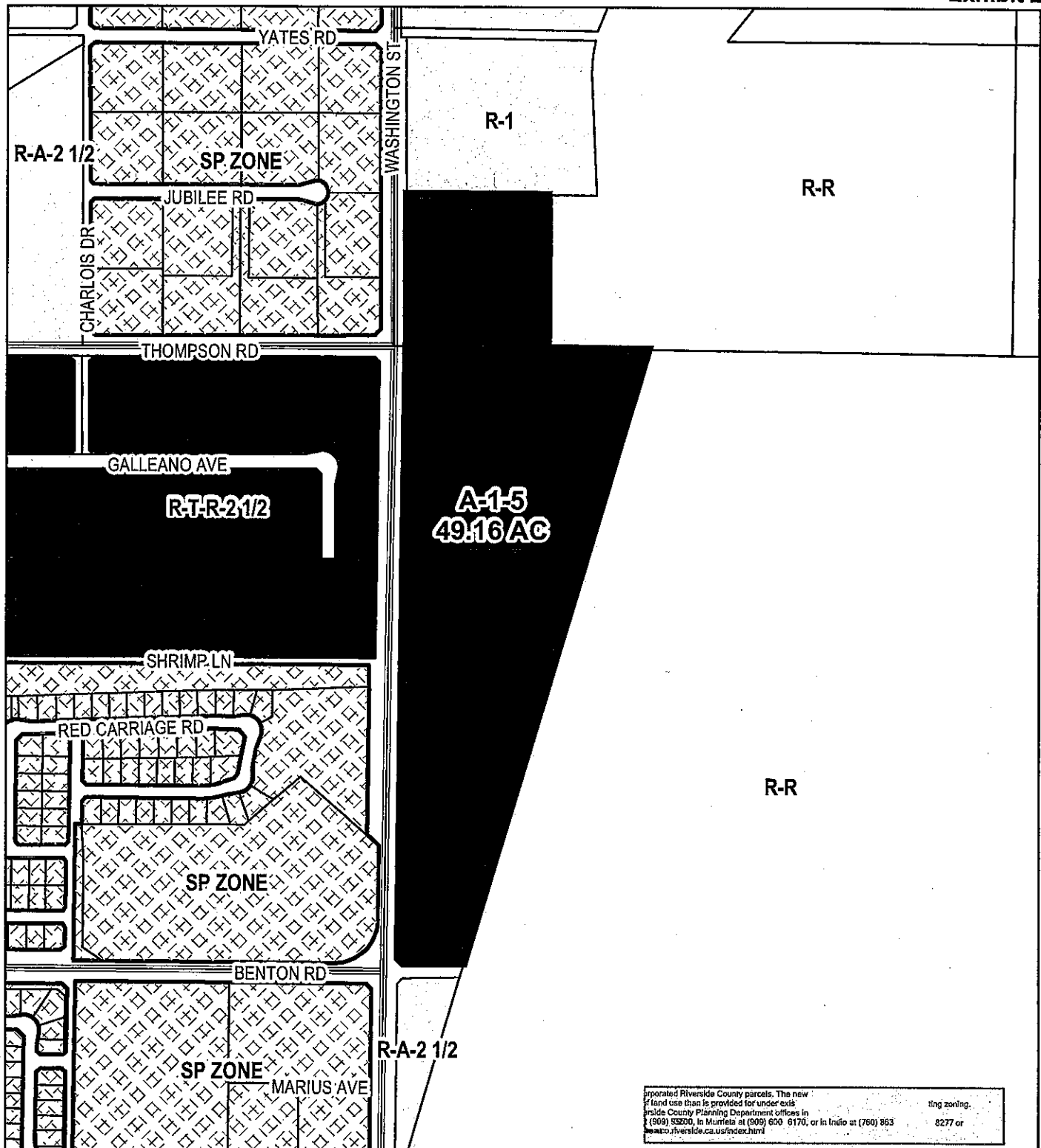
DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>



Supervisor Stone  
District 3  
Date Drawn: 2/26/08

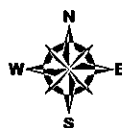
**GPA00954**  
**EXISTING ZONING**

Planner: Amy Aldana  
Date: 3/06/08  
Exhibit 2



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 3 & 4



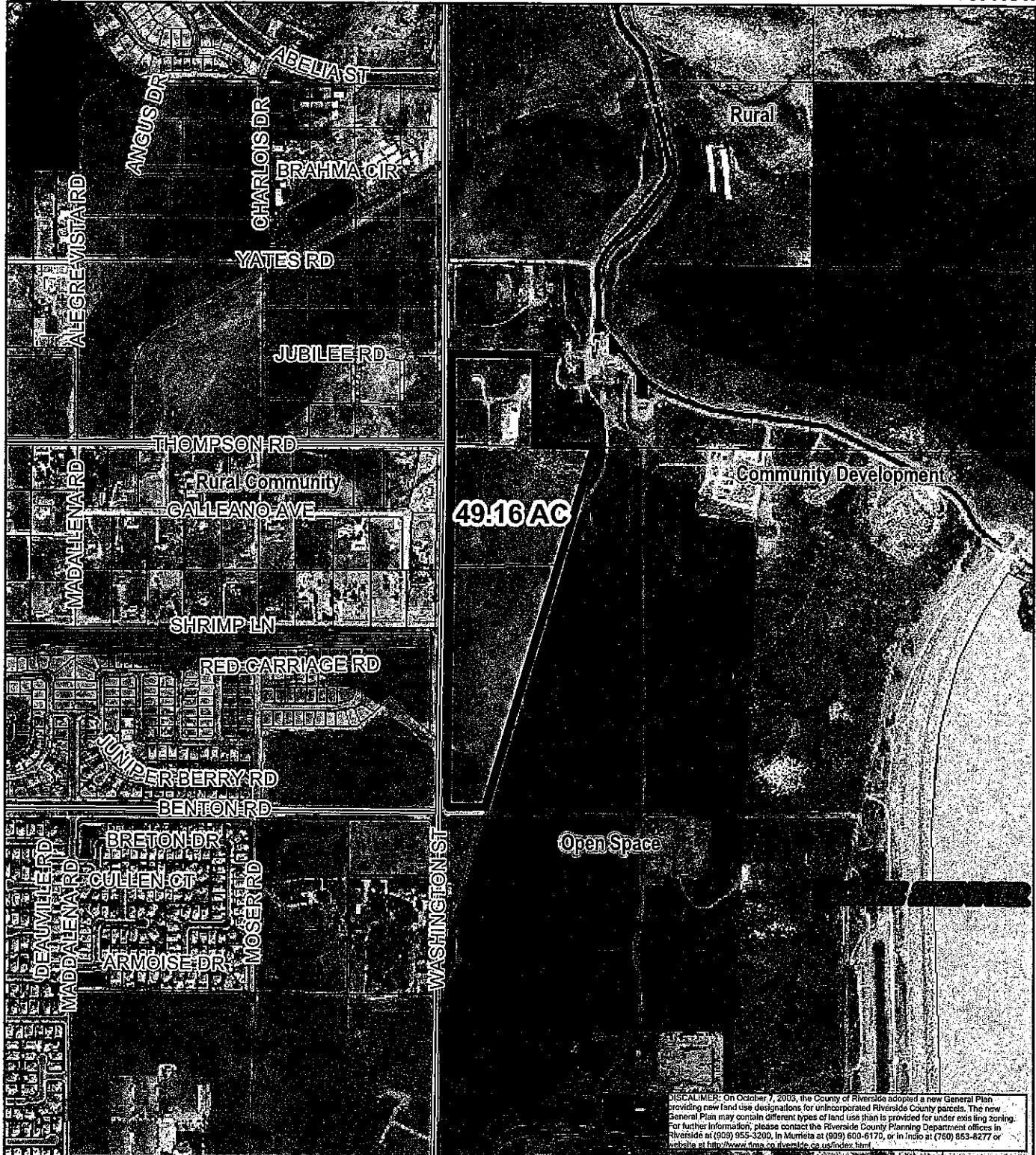
Assessors  
Bk. Pg. 472-21  
Thomas 964-03  
Bros. Pg. 899 G7

Supervisor Stone  
District 3  
Date Drawn: 2/26/08

GPA00954

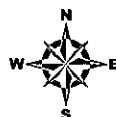
DEVELOPMENT OPPORTUNITY

Planner: Amy Aldana  
Date: 3/06/08  
Exhibit Overview



RIVERSIDE COUNTY PLANNING DEPARTMENT

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 3 & 4



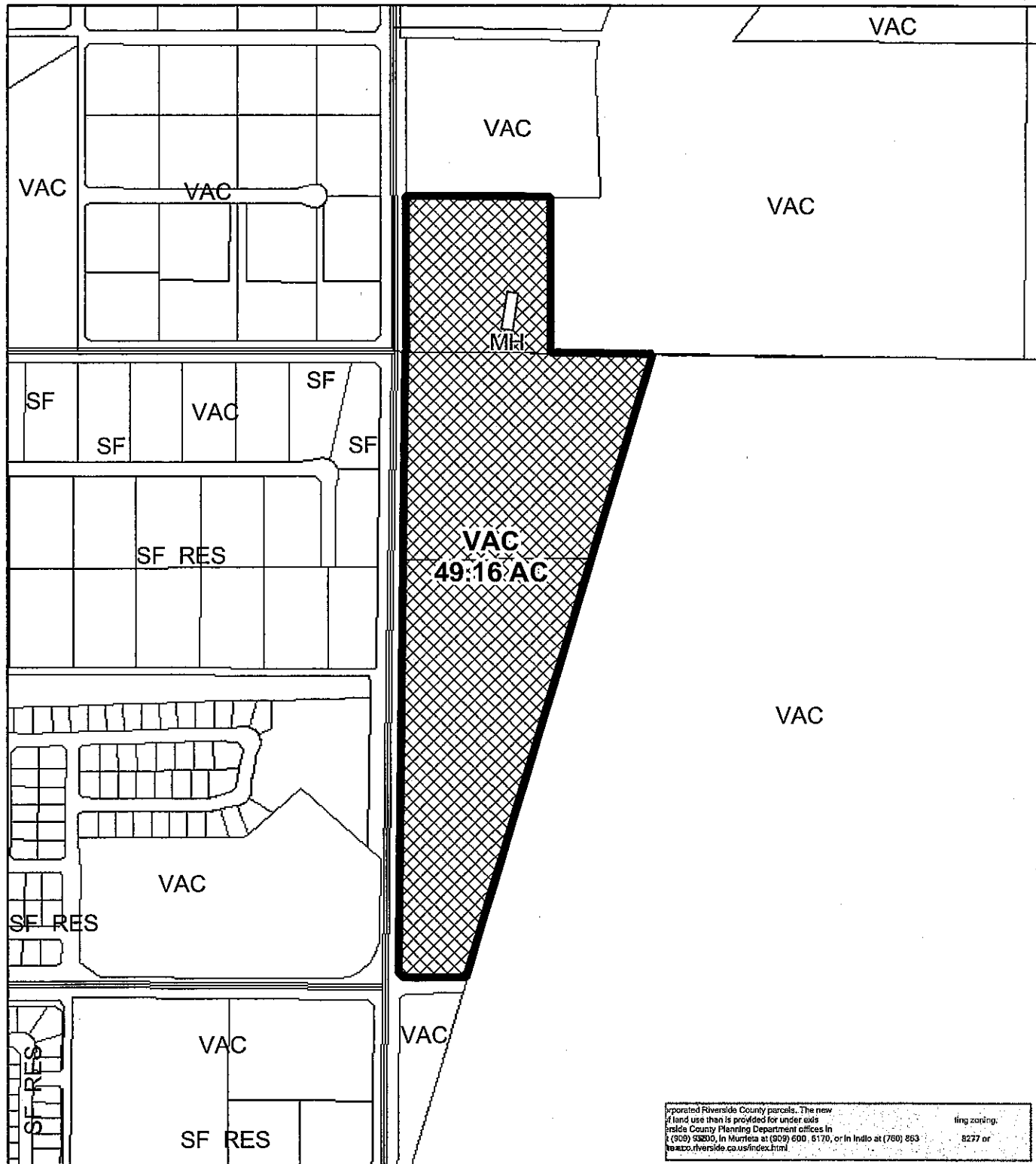
Assessors  
Bk. Pg. 472-21  
964-03  
Thomas  
Bros. Pg. 899 G7

Supervisor Stone  
District 3  
Date Drawn: 2/26/08

**GPA00954**

Land Use

Planner: Amy Aldana  
Date: 3/06/08  
Exhibit 1



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Area  
Plan: Rancho California  
Township/Range: T6SR2W  
Section: 3 & 4



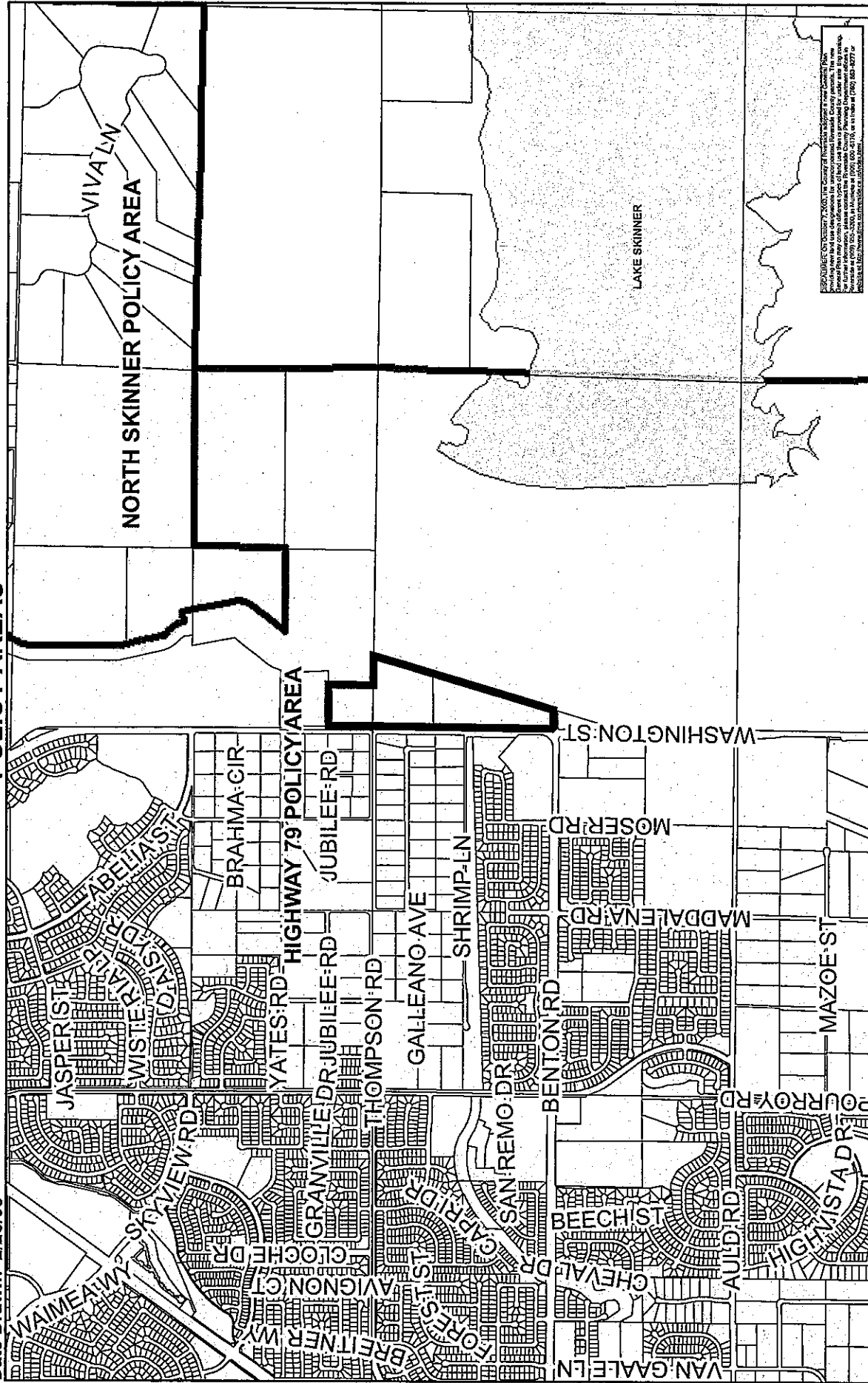
Assessors  
Bk. Pg. 472-21  
964-03  
Thomas  
Bros. Pg. 899 G7

Supervisor Stone  
District 3

Date Drawn: 2/26/08

**GPA00954**  
**POLICY AREAS**

Planner: Amy Aldana  
Date: 3/06/08  
Exhibit 8



**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Zone Rancho California  
Area: Township/Range: T6SR2W  
Section : 3 & 4

Assessors  
Bk. Pg. 472-21  
Thomas 964-03  
Bros. Pg. 899 G7

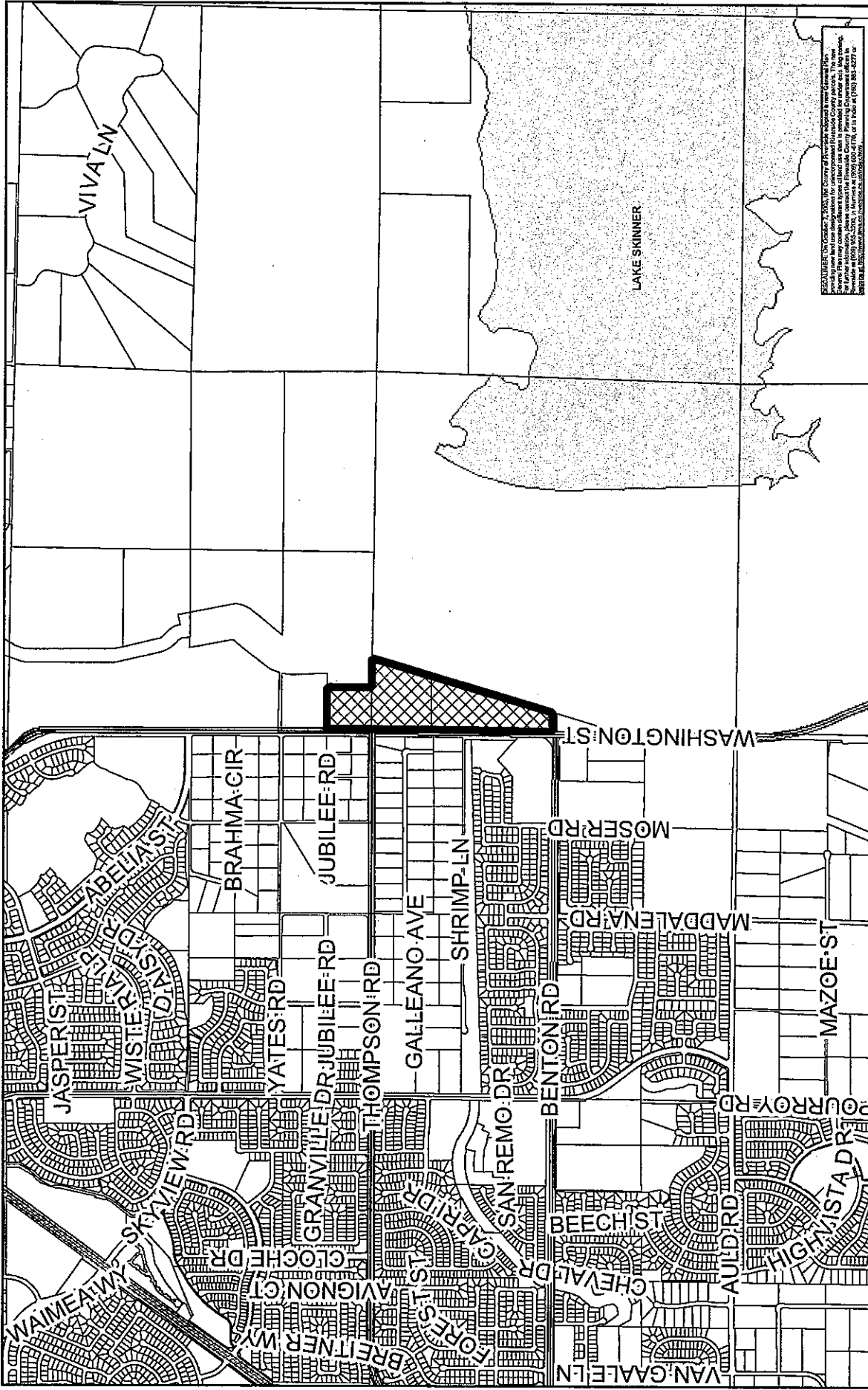


Supervisor Stone  
District 3

Date Drawn: 2/26/08

**GPA00954**  
**VICINITY MAP**

Planner: Amy Aldana  
Date: 3/06/08  
**VICINITY MAP**



REPLACEMENT OF THE COUNTY OF RIVERSIDE ADJUDICATED IN RECENT YEARS. The County of Riverside is not responsible for the accuracy of the information shown on this map. The County of Riverside is not responsible for the accuracy of the information shown on this map. The County of Riverside is not responsible for the accuracy of the information shown on this map.

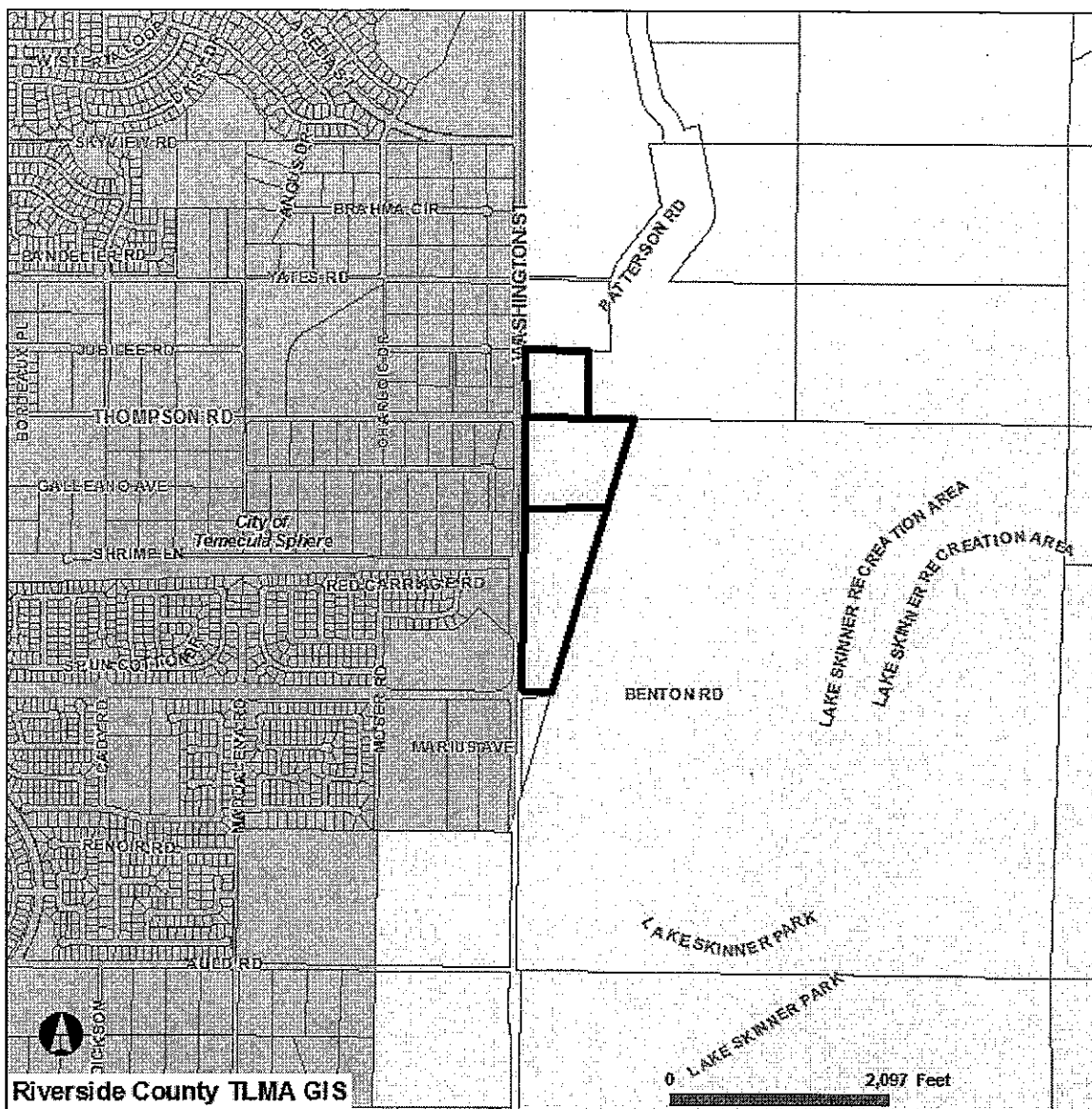
Zone Rancho California  
Area: T6SR2W  
Township/Range: 3 & 4

**RIVERSIDE COUNTY PLANNING DEPARTMENT**

Assessors  
Bk. Pg. 472-21  
Thomas 964-03  
Bros. Pg. 899 G7



## RIVERSIDE COUNTY GIS



## Selected parcel(s):

472-210-003 964-030-007 964-030-008

## \*IMPORTANT\*

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED CN...Wed Nov 04 08:07:04 2009

## ***Justification for General Plan Amendment Change of Land Use***

Site: APN#s 472-210-003, 964-030-007, 964-030-008  
South West Area Plan  
French Valley Area

Applicant: MDMG inc.

The proposed amendment will change 53.93 acres of *Estate Density Residential - Rural Community Foundation* to various land uses listed below.

- 37.89 +/- acres of Medium Density Residential (MDR 2-5 DU AC)
- 13.14 +/- acres of High Density Residential (HDR 8-14 DU AC)
- 1.88 +/- acres of Commercial Retail (CR)

The following justifications are cited.

1. Meetings have already taken place with Supervisor Stone who has expressed his support for the proposed changes.
2. ERD and the Rural Community are no longer highest and best use for the land considering the encroaching higher density residential and commercial uses.
3. The existing rural residential improvements are deteriorating, have obsolete infrastructure, and sub-standard access.
4. The subject has considerable frontage along Washington Ave. which is planned for a 152' R/W Urban Arterial Highway. Noise and traffic of this intensity are not conducive to a rural atmosphere.

November 1, 2009

*VIA ELECTRONIC MAIL AND FACSIMILE*

Riverside County Planning Commission  
ATTN: Mike Harrod  
County of Riverside  
4080 Lemon St., 9<sup>th</sup> Floor  
Riverside, CA 92501

**RE: Item 5.0, General Plan Amendment Initiation Proceedings  
(November 4, 2009)**

Dear Chair and Commission Members:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on these landowner-initiated GPA proposals.

Item 5.1, GPA 1033 (SWAP)

*Concur with staff recommendation to decline to initiate.* Important new information is contained in the staff report that adds to the many compelling reasons to deny initiation. Specifically, according to the Rancho California Water District, the new agricultural uses would face a water shortage (and presumably further stress existing farms and vineyards), polluted runoff would pose a threat to drinking water quality in the Vail Lake reservoir, and there is a shortage of sewer treatment capacity.

As noted previously, this proposal to extend the Citrus Vineyard Policy Area to Vail Lake is wholly unsuited for this locale. As shown in the thorough staff report, it would introduce a type and intensity of development far in excess of that anticipated by the General Plan's Vail Lake Policy Area and the policies of SWAP. The small farm and commercial development model of Citrus Vineyard has no relevance to the biological, viewshed, and recreational imperatives of Vail Lake. No changed circumstances justify this wholesale change. A massive upzoning to 2-acre lots would introduce large scale residential uses into a high fire hazard area, decimate the biological resources needed for MSCHP assembly, and constitute a leapfrog pattern of development apart from services and infrastructure. Finally, according to the Planning Department, "The proposed amendment also creates an internal inconsistency among the Elements of the General Plan, particularly the Multipurpose Open Space Element and the Safety Element."

Item 5.2, GPA 1000 (SWAP)

*Concur with previous staff recommendation to decline to initiate.* Conversion of this 379-acre rural location to Community Development/Specific Plan would defy all relevant planning principles. It would urbanize an intact rural area discontinuous from urban infrastructure and services, maximize greenhouse gas emissions, and, contrary to



the recommendation of the Fire Hazard Reduction Task Force, place development in a rugged, high fire hazard location. No new circumstance justifies this Foundation change, which would thus conflict with the Administrative Element of the General Plan. According to the staff report, this increase in intensity "would be contrary to the existing character and land use pattern in the area."

Item 5.3, GPA 998 (French Valley)

***Concur with staff recommendation to decline to initiate.*** The French Valley presents difficult challenges for MSHCP assembly, and this proposal to convert Rural land to Community Development within a Criteria Cell would prejudice preserve assembly. The steep slopes also present landslide hazards. For these reasons, the project could, according to staff, create General Plan inconsistencies involving the Land Use Multi-Purpose Open Space, and Safety Elements. Surrounding parcels are intact Rural, and no changed circumstances justify piecemeal urbanization of an area generally recognized as an important community separator.

Item 5.4, GPA 977 (Mead Valley/Elsinore)

***Concur with staff recommendation to decline to initiate.*** This is a massive proposal to redesignate 405 acres of Rural Mountainous and Rural Residential to Rural Community 1-acre lots. Discontiguous from infrastructure and services, and not responding to changed circumstances, the proposal utterly lacks planning merit. Indeed, due to public safety and MSHCP conflicts, staff concluded that:

This amendment would potentially create inconsistency between the Land Use Element and the Safety Element by increasing density in an area with steep slopes, high fire hazard and no nearby fire stations, limited access, and subject to flooding. Increasing the density/intensity of allowable land use on the site, as proposed by this amendment, would also exacerbate potential conflicts between such uses and the conservation requirements as set forth in the MSHCP, causing inconsistencies between the Land Use Element and the Multi-Purpose Open Space Element of the General Plan.

Item 5.5, GPA 954 (French Valley)

***Pending additional analysis, disagree with both applicant's proposal and with staff's modified recommendation for initiation.*** Adjacent to the property is a large block of conserved habitat (OS-CH). However, information on the relationship of the property to the MSHCP is not provided. No decision should be made until this information is available.

Item 5.6, GPA 946 (Winchester)

***Disagree with applicant's proposal and with staff's modified recommendation for initiation.*** To change the designation of this large, 176-acre property from Rural Community to Community Development – or to facilitate such future conversion via staff's modified recommendation – are *both* inconsistent with maintaining the current

rural policy area. There is also no MSHCP analysis. The larger question is that no absorption study has demonstrated the need for additional Community Development or, even if so, whether this is an optimal location. Indeed, the location appears discontinuous from other development and would represent a piecemeal and disorderly pattern of urbanization that maximizes greenhouse gas emissions.

Item 5.7, GPA 1089 (Jurupa)

***Concur with staff recommendation to initiate.*** This is an appropriate intensification of existing Community Development to accommodate growth by providing a range of housing choices in a location near infrastructure and services.

In conclusion, we ask that you uphold the integrity of the Foundation System, the General Plan, and the MSHCP.

Sincerely,

Dan Silver, MD  
Executive Director

Electronic cc: Board Offices  
George Johnson, TLMA  
Ron Goldman, Planning Dept.

Carolyn Luna, EPD  
Interested parties